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E-FILED - 10/3/07

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IN RE APPLE IPOD NANO PRODUCTS
LIABILITY LITIGATION

CASE NO.: M-06-01754-RMW
MDL NO.: 1754

**JOINT STIPULATION AND
[] ORDER
CONTINUING CASE
MANAGEMENT CONFERENCE**

The Honorable Ronald M. Whyte
Courtroom No. 6, 4th Floor
Date: October 5, 2007
Time: 10:30 a.m.
Master Complaint Filed: Sept. 21, 2006

1 Plaintiffs and defendant Apple Inc. ("Apple") (collectively the "parties") hereby submit
2 the following stipulation to continue the Case Management Conference currently scheduled for
3 October 5, 2007 to October 19, 2007 at 10:30 a.m.:

4 WHEREAS, a Case Management Conference is currently scheduled for October 5, 2007;
5 and

6 WHEREAS, there are related proceedings pending in the Superior Court for the State of
7 California, County of Los Angeles, *iPod nano Cases*, JCCP Case No. 4469;

8 WHEREAS, the parties have a scheduled deposition noticed for October 5, 2007 in the
9 *iPod nano Cases*;

10 WHEREAS, lead counsel for the parties plan to attend the deposition;

11 IT IS HEREBY STIPULATED AND AGREED, pursuant to the Northern District Local
12 Rules 6-2(a), 7-12, and 16-2(e), that the Case Management Conference currently scheduled for
13 October 5, 2007, shall be continued to October 19, 2007 at 10:30 a.m.

14 SO STIPULATED.

15 Dated: September 21, 2007

PENELOPE A. PREOVOLOS
ANDREW D. MUHLBACH
JOHANNA W. ROBERTS
HEATHER A. MOSER
MORRISON & FOERSTER LLP

19 By: /s/ Andrew D. Muhlbach
20 Andrew D. Muhlbach

21 *Attorneys for Defendant*
APPLE INC.

22
23 Dated: September 21, 2007

STEVE W. BERMAN
LEE M. GORDON
ELAINE T. BYSZEWSKI
HAGENS BERMAN SOBOL SHAPIRO LLP

25 By: /s/ Lee M. Gordon
26 Lee M. Gordon

27 *Co-lead Counsel for Plaintiffs*
28

1 DAVID P. MEYER
2 PATRICK G. WARNER
3 DAVID P. MEYER & ASSOCIATES CO
4 *Co-lead Counsel for Plaintiffs*

5 RICHARD ARSENAULT
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16 THOMAS D. MAURIELLO
17 LAW OFFICES OF THOMAS D. MAURIELLO

18 BRYAN L. CLOBES
19 MILLER FAUCHER & CAFFERTY, LLP


20 SETH R. LESSER
21 LOCKS LAW FIRM

22 JEAN-MARC ZIMMERMAN
23 EDUARD KORSINSKY
24 JOSEPH LEVI
25 ZIMMERMAN, LEVI & KORSINSKY LLP

26 *Attorneys for Plaintiffs*

27 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

28 Dated: 10/3/07


United States District Court Judge
Hon. Ronald M. Whyte

1 I, Andrew D. Muhlbach, am the ECF user whose ID and password are being used to file
2 this Stipulation to Continuance of Case Management Conference. In compliance with General
3 Order 45.X.B, I hereby attest that Lee M. Gordon has concurred in this filing.

4
5 Dated: September 21, 2007

PENELOPE A. PREVOLOS
ANDREW D. MUHLBACH
JOHANNA W. ROBERTS
HEATHER A. MOSER
MORRISON & FOERSTER LLP

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9 By: /s/ Andrew D. Muhlbach
Andrew D. Muhlbach

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11 *Attorneys for Defendant*
APPLE COMPUTER, INC.
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CERTIFICATE OF SERVICE BY MAIL
(Fed. R. Civ. Proc. rule 5(b))

I declare that I am employed with the law firm of Morrison & Foerster LLP, whose address is 425 Market Street, San Francisco, California 94105-2482; I am not a party to the within cause; I am over the age of eighteen years and I am readily familiar with Morrison & Foerster's practice for collection and processing of correspondence for mailing with the United States Postal Service and know that in the ordinary course of Morrison & Foerster's business practice the document described below will be deposited with the United States Postal Service on the same date that it is placed at Morrison & Foerster with postage thereon fully prepaid for collection and mailing.

I further declare that on the date hereof I served a copy of:

**JOINT STIPULATION AND [PROPOSED] ORDER
CONTINUING CASE MANAGEMENT CONFERENCE**

on the following by placing a true copy thereof enclosed in a sealed envelope addressed as follows for collection and mailing at Morrison & Foerster LLP, 425 Market Street, San Francisco, California 94105-2482, in accordance with Morrison & Foerster's ordinary business practices:

Patrick G. Warner
David P. Meyer & Associates Co., LPA
1320 Dublin Road, Suite 100
Columbus OH 43215

I declare under penalty of perjury that the above is true and correct.

Executed at San Francisco, California, this 21st day of September, 2007.

Carol J. Peplinski
(typed)

/s/ Carol J. Peplinski
(signature)

ATTESTATION OF E-FILED SIGNATURE

I, Andrew D. Muhlbach, am the ECF User whose ID and password are being used to file this Proof of Service. In compliance with General Order 45, X.B., I hereby attest that Carol J. Peplinski has read and approved this Proof of Service and consents to its filing in this action.

Dated: September 21, 2007.

MORRISON & FOERSTER LLP

/s/ Andrew D. Muhlbach
/s/ Andrew D. Muhlbach